

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY who D.C.

05 JUL 25 PM 5: 03

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS

JIM L. TOWNSEND,

Petitioner,

vs.

PAUL G. SUMMERS, et al.,

Respondents.

X  
X  
X  
X  
X  
X  
X  
X  
X  
X  
X

No. 05-2508-D/P

ORDER DIRECTING PETITIONER TO FILE AN IN FORMA PAUPERIS AFFIDAVIT  
OR PAY THE HABEAS FILING FEE

Petitioner Jim L. Townsend, Bureau of Prisons inmate registration number 13003-076, an inmate at the Federal Correctional Institution in Memphis ("FCI-Memphis"), filed a pro se petition pursuant to 28 U.S.C. § 2254 on July 15, 2005. The Clerk shall record the respondents as Tennessee Attorney General Paul G. Summers and FCI-Memphis Warden T.C. Outlaw.

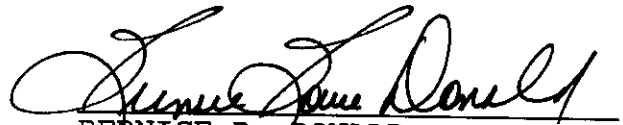
A habeas petition carries a filing fee of five dollars (\$5.00). 28 U.S.C. § 1914(a). Townsend's petition is not accompanied by either the filing fee or a motion to proceed in forma pauperis. Accordingly, Townsend is ORDERED either to submit a properly completed in forma pauperis affidavit demonstrating his indigency, along with an inmate trust fund account statement, or pay the filing fee thirty (30) days of the entry of this order.

This document entered on the docket sheet in compliance  
with Rule 58 and/or 79(a) FRCP on 7/25/05

②

The Clerk is ORDERED to mail a copy of the prisoner in forma pauperis affidavit to petitioner along with this order.<sup>1</sup> Failure to timely comply with any requirement of this order will result in dismissal of the petition without further notice for failure to prosecute.

IT IS SO ORDERED this 22 day of July, 2005.

  
BERNICE B. DONALD  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> In the interest of expediting this matter, petitioner is advised that, if his inmate trust fund account has a balance of at least twenty-five dollars (\$25.00), an application to proceed in forma pauperis will be denied.



## Notice of Distribution

This notice confirms a copy of the document docketed as number 2 in case 2:05-CV-02508 was distributed by fax, mail, or direct printing on July 28, 2005 to the parties listed.

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Jim L. Townsend  
FCI-MEMPHIS  
13003-076  
P.O. Box 34550  
Memphis, TN 38184

Honorable Bernice Donald  
US DISTRICT COURT